



The relief described hereinbelow is SO ORDERED.

Signed December 16, 2021.

A handwritten signature in black ink, appearing to read "H. Mott".

**H. CHRISTOPHER MOTT
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:	§	
PERSEVERANCE GROUP, LLC ¹	§	CASE NO. 21-30584-hcm
Debtor.	§	(Chapter 11; Subchapter V)

**ORDER CONTINUING
PLAN CONFIRMATION HEARING AND SETTING STATUS HEARING, WITH
NOTICE OF REQUIREMENT FOR DEBTOR TO OBTAIN LICENSED COUNSEL**

On December 16, 2021, the Court conducted a hearing on the Motion for Continuance of Hearing on Confirmation of Plan and Deadline to File Memorandum of Legal Authorities and Proposed Order Confirming Plan ("Motion for Continuance")(dkt# 82) filed by Mr. Michael R. Nevarez, as counsel for Perseverance Group, LLC ("Debtor"). The Motion for Continuance seeks to continue the hearing on confirmation of the proposed Plan of Reorganization ("Plan") dated November 1, 2021 filed by the Debtor.

¹ The mailing address of the Debtor is 211 E. 7th Street, Suite 620, Austin, TX 78701. The EIN of the Debtor is 26-4406869.

Appearing at the hearing were Mr. Nevarez; Mr. Jesse Ramirez, the principal of the Debtor; the Subchapter V Trustee; and respective counsel for several creditors that filed objections to confirmation of the Plan.

The Court has authorized the withdrawal of Mr. Nevarez as counsel of record for the Debtor, by order of even date herewith. The Debtor in this case is a limited liability company and not an individual. It is well established that an artificial entity (such as a limited liability company) may appear in federal court (such as this Court) only through licensed counsel. See *e.g.*, 28 U.S.C. §1654; *Rowland v. California Men's Colony*, 506 U.S. 194, 202 (1993); *Donovan v. Road Rangers Country Junction, Inc.*, 736 F.2d 1004, 1005 (5th Cir. 1984); *K.M.A., Inc. v. General Motors Acceptance Corp.*, 652 F.2d 398, 399 (5th Cir. 1982). Accordingly, the Debtor is hereby advised that the Debtor must promptly retain new licensed counsel to represent the Debtor in this bankruptcy case, or the Court may dismiss this bankruptcy case filed by the Debtor.

After considering the Motion for Continuance, the status of this bankruptcy case, and the statements and arguments of the parties, the Court finds that the Motion for Continuance should be granted to the extent set forth below and the following Order should be entered.

IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN THAT:

1. The Motion for Continuance (dkt# 82) is hereby granted as follows. The hearing on confirmation of the Plan is hereby continued. The Court will conduct a status hearing on confirmation of the Plan on January 13, 2022 at 10:00 a.m. (MT) in the U.S. Bankruptcy Court, 511 E. San Antonio Ave., 4th Floor, El Paso, Texas ("Status Hearing"). At the Status Hearing, the Court will consider resetting the hearing on confirmation of the Plan (as it may be amended) and other Plan related deadlines.

2. The Debtor is hereby notified that the Debtor must immediately retain licensed counsel to represent the Debtor in this bankruptcy case if the Debtor desires to proceed with this bankruptcy case. If a notice of appearance of licensed counsel for the Debtor is not filed in this bankruptcy case by **January 7, 2022**, the Court may dismiss this bankruptcy case of the Debtor without further notice or hearing. If this bankruptcy case is dismissed, the Status Hearing set for January 13, 2022 will be cancelled.

3. The Clerk of the Court shall cause a copy of this Order to be sent to the Debtor at the following addresses: 211 E. 7th Street, Suite 620, Austin, TX 78701; and P.O. Box 1734, Las Cruces, NM 88004.

4. The Clerk shall also cause a copy of this Order to be sent to all creditors and parties in interest in this bankruptcy case.

#

In re:
Perseverance Group, LLC
Debtor

Case No. 21-30584-hcm
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0542-3
Date Rcvd: Dec 16, 2021

User: admin
Form ID: pdfapac

Page 1 of 2
Total Noticed: 23

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 18, 2021:

Recip ID	Recipient Name and Address
db	+ Perseverance Group, LLC, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218
cr	+ BBMC Properties, LLC, c/o Kemp Smith LLP, 221 N. Kansas, Ste. 1700, El Paso, TX 79901-1401
cr	+ Borderland Investments, LLC, c/o Robert R. Feuille, ScottHulse PC, PO Box 99123, El Paso, TX 79999-9123
cr	+ City Of El Paso, Weston Centre, 112 E. Pecan St, Suite 2200, San Antonio, TX 78205-1588
cr	+ Crusades Realty Investments, LLC, c/o Kemp Smith LLP, 221 N. Kansas, Ste. 1700, El Paso, TX 79901-1401
intp	+ Deborah Figueroa Singleton, The Real Estate Power Houses, 5823 N. Mesa #732, El Paso, TX 79912-4607
cr	+ EP Smart Money, LLC, c/o Robert R. Feuille, ScottHulse, PC, 201 E. Main Dr., Suite 1100, El Paso, TX 79901-1340
cr	+ Mayan Family Limited Partnership/My Ventures, LLC, c/o Kemp Smith LLP, 221 N. Kansas, Ste. 1700, El Paso, TX 79901-1401
cr	+ Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City, UT 84165-0250
18223291	+ BBMC Properties, LLC, c/o Uprising Investments, LLC, 4150 Rio Bravo, Suite 245, El Paso, Texas 79902-1077
18208531	+ Borderland Investments, LLC, 700 Montana Avenue, El Paso, TX 79902-5306
18209907	+ Crusades Realty Investments, LLC, c/o Kemp Smith LLP, Attn: James W. Brewer, 221 N. Kansas, Ste. 1700, El Paso, TX 79901-1401
18244777	+ Dona Ana County Treasurer, 845 N. Motel Blvd., Las Cruces, NM 88007-8100
18230912	+ EP Smart Money, LLC, Robert R. Feuille, Scott Hulse, PC, 201 E. Main, Suite 1100, El Paso, TX 79901-1325
18208532	+ Entrust Capital Funding, c/o Cassandra Chairez, 2077 N. Zaragoza, B203, El Paso, TX 79938-7900
18208536	+ MLR Grantor Trust, Robert Malooly, Trustee, 920 N. Stanton Street, El Paso, TX 79902-4107
18208534	+ Mark Salloum, Salloum Law Firm, PC, 661 S Mesa Hills Dr., #100, El Paso, TX 79912-5550
18223290	+ Mayan Family Limited Partnership and My Ventures,, c/o Uprising Investments, LLC, 4150 Rio Bravo, Suite 245, El Paso, Texas 79902-1077
18208537	+ Robert T. Pearson, 214 W Franklin Ave., El Paso, TX 79901-1120
18248938	+ Select Portfolio Servicing, Inc., c/o McCarthy Holthus, LLP, 1255 West 15th Street, Suite 1060, Plano, TX 75075-4220

TOTAL: 20

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
18211202	+ Email/Text: sanantonio.bankruptcy@publicans.com	Dec 16 2021 21:59:00	City of El Paso, c/o Don Stecker, 112 E. Pecan St. Suite 2200, San Antonio, TX 78205-1588
18208533	+ Email/Text: vsepulveda@millsescrow.com	Dec 16 2021 21:59:33	EP Smart Money LLC, c/o Mills Escrow, 906 N. Mesa Street, Ste. 101, El Paso, TX 79902-4080
18208535	+ Email/Text: mjzimp@mjlzlaw-ep.com	Dec 16 2021 21:59:00	Michael Zimprich, 7001 Westwind Drive, El Paso, TX 79912-1778

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
18211207	*+	City of El Paso, c/o Don Stecker, 112 E. Pecan St. Suite 2200, San Antonio, TX 78205-1588

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 18, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 16, 2021 at the address(es) listed below:

Name	Email Address
Brad W. Odell	bodell@mhba.com memert@mhba.com;mreynolds@mhba.com
Brad W. Odell	on behalf of Trustee Brad W. Odell bodell@mhba.com memert@mhba.com;mreynolds@mhba.com
Donald P. Stecker	on behalf of Creditor City Of El Paso don.stecker@lgbs.com
James W. Brewer	on behalf of Creditor Crusades Realty Investments LLC jbrewer@kempsmith.com, tschoemer@kempsmith.com
James W. Brewer	on behalf of Creditor BBMC Properties LLC jbrewer@kempsmith.com, tschoemer@kempsmith.com
James W. Brewer	on behalf of Creditor Mayan Family Limited Partnership/My Ventures LLC jbrewer@kempsmith.com, tschoemer@kempsmith.com
Michael R. Nevarez	on behalf of Debtor Perseverance Group LLC MNevarez@LawOfficesMRN.com, MRN4Bankruptcy@gmail.com
Robert R. Feuille	on behalf of Creditor Borderland Investments LLC bfeu@scotthulse.com, calv@scotthulse.com
Robert R. Feuille	on behalf of Creditor EP Smart Money LLC bfeu@scotthulse.com, calv@scotthulse.com
Shane P. Tobin	on behalf of U.S. Trustee United States Trustee - EP12 shane.p.tobin@usdoj.gov brian.r.henault@usdoj.gov;Carolyn.Feinstein@usdoj.gov;carey.a.tompkins@usdoj.gov;roxana.peterson@usdoj.gov;gary.wright3@usdoj.gov;deborah.a.bynum@usdoj.gov;aubrey.thomas@usdoj.gov;omar.e.jones@usdoj.gov
United States Trustee - EP12	USTPRegion07.SN.ECF@usdoj.gov
Yoshie Valadez	on behalf of Creditor Select Portfolio Servicing Inc. mhtbkanhssselfilings@mccarthyholthus.com, yvaladez@mccarthyholthus.com

TOTAL: 12